

They were alleged to be misbranded in that the statement on their labels "0.25% Silver Picrate Jelly" was false and misleading.

On September 16, 1943, no claimant having appeared, judgment of condemnation and destruction was entered against the product at Seattle. On January 29, 1944, the Schabelitz Research Laboratories, claimant for the lot at Salt Lake City, having failed to file an answer, default was entered against the claimant and its claim was dismissed. On April 29, 1944, judgment was entered against the lot, ordering that it be destroyed.

1032. Adulteration and misbranding of first-aid dressings and bandages, compresses, and adulteration of gauze bandages. U. S. v. 60 Cases and 38,100 Cartons of First Aid Dressings, 40,000 and 8,000 Packages of Bandage Compresses, and 651 Dozen Packages of Gauze Bandages. Decrees of condemnation. A portion of the bandage compresses and all of the other products ordered released under bond for reprocessing; remainder of the bandage compresses ordered delivered to the Food and Drug Administration. (F. D. C. Nos. 8582, 8952, 9013, 9029, 9256. Sample Nos. 5583-F, 10082-F, 25560-F, 31307-F, 31359-F, 31606-F, 31619-F.)

Examination showed that these products were not sterile but were contaminated with living micro-organisms.

Between October 19, 1942, and January 26, 1943, the United States attorneys for the Southern District of Ohio, the Eastern District of Virginia, and the Western District of Texas filed libels against 60 cases, each containing 300 first-aid dressings, and 38,100 cartons of first-aid dressings and 40,000 packages of bandage compresses at Columbus, Ohio, 8,000 packages of bandage compresses at San Antonio, Tex., and 651 dozen packages of gauze bandages at Richmond, Va., alleging that the articles, which had been consigned by the Acme Cotton Products Co., Inc., had been shipped within the period from on or about September 19 to December 7, 1942, from Dayville, Conn., and Worcester, Mass.; and charging that the gauze bandages were adulterated and that the other articles were adulterated and misbranded. The first aid dressings at Columbus were labeled in part: "Large First Aid Dressing United States Army Carlisle Model Sterilized," and (portion) "Sterilized Red Color indicates back of dressing. Put other side next to wound." The gauze compresses at Columbus were labeled in part: "Four Dressings Sterilized 2 Inch Bandage Compress." The articles at San Antonio and Richmond were labeled in part: "3 inch * * * Gauze Bandage," or "1 Dressing Sterilized 4 inch Bandage Compress."

The gauze bandages were alleged to be adulterated in that they purported to be and were represented as a drug, the name of which is recognized in the United States Pharmacopoeia, an official compendium, but their quality and purity fell below the standard set forth therein since the Pharmacopoeia provides that gauze bandage must be sterile and shall meet the requirements of the sterility test for solids described in the Pharmacopoeia, and their difference in quality and purity from that standard was not stated on their label.

The first-aid dressings and the bandage compresses were alleged to be adulterated in that their purity and quality fell below that which they purported or were represented to possess, "Sterilized." They were alleged to be misbranded in that the statements appearing in their labeling which represented and suggested that the articles were sterile were false and misleading.

On January 16 and February 4, 1943, the Acme Cotton Products Co., Inc. claimant, having admitted the allegations of the libels against the products at Columbus and Richmond, judgments of condemnation were entered and the products were ordered released under bond for reprocessing under the supervision of the Food and Drug Administration. On March 18, 1943, no claimant having appeared for the bandage compresses at San Antonio, judgment of condemnation was entered and the product was ordered to be delivered to the Food and Drug Administration.

1033. Adulteration and misbranding of gauze bandages and first aid, treated strips, and misbranding of Tip Top gauze and Chatham bandage. U. S. v. 6% Gross Packages and 162 Dozen Boxes of Gauze Bandages, 48 Cartons of First-Aid Treated Strips, 1,983 Dozen Packages of Tip Top Gauze, and 176 Dozen Packages of Chatham Bandage. Decrees of condemnation. Tip Top Gauze, Chatham Bandage, and a portion of the gauze bandages ordered released under bond for sterilization; first aid, treated strips and remainder of gauze bandages ordered destroyed. (F. D. C. Nos. 8008, 9065, 9074, 9816. Sample Nos. 553-F, 5845-F, 5846-F, 21666-F, 21701-F.)

On July 28 and December 24, 1942, and January 5 and April 19, 1943, the United States attorneys for the Northern District of Illinois, and the Western Districts of Tennessee and Pennsylvania filed libels against 48 cartons, each containing 36 envelopes, of first aid, treated strips at Chicago, Ill., 1,983 dozen packages of Tip Top gauze and 176 dozen packages of Chatham bandage at

Memphis, Tenn., and 6 $\frac{3}{4}$ gross packages and 162 dozen boxes of gauze bandages at Pittsburgh, Pa., alleging that the articles had been shipped within the period from on or about June 26, 1942, to March 10, 1943, by the Gotham Sales Co., Inc., from New York, N. Y.; and charging that they were misbranded and that the first aid, treated strips and the gauze bandages were also adulterated. The articles were labeled in part: "Sani+Cross Waterproof First Aid Treated Strips * * * Distributed by Gero Products, Boston, Mass.," "Tip Top Gauze Bandage," "Chatham Bandage [or "Gauze Bandage"] * * * Distributors Chatham Sundries Co. New York, N. Y.," or "R112 Gauze Bandage."

The first aid, treated strips were alleged to be adulterated in that they purported to be and were represented as an article, adhesive absorbent gauze, described in the United States Pharmacopoeia, an official compendium, but the article differed from the standard set forth in that compendium since it failed to meet the requirements of the sterility test for solids.

They were alleged to be misbranded in that the statements appearing on their label, "Sani+Cross First Aid Treated Strips Wash Wound with an Antiseptic—Remove Crinoline and Apply Gauze Pad to the Wound," were false and misleading since these statements represented and suggested that the strips were a safe, sanitary, and appropriate bandage for first aid use on minor cuts, wounds, and abrasions, whereas they were not a safe, sanitary, and appropriate bandage for such use because they were contaminated with living bacteria. They were alleged to be misbranded further in that they were in package form and their label failed to bear a statement of the quantity of the contents.

A portion of the gauze bandages (6 $\frac{3}{4}$ gross packages) was alleged to be adulterated in that it purported to be and was represented as a drug, the name of which is recognized in an official compendium, but its quality and purity fell below the standard set forth therein since it was not sterile but was contaminated with viable micro-organisms. The remainder of the gauze bandages was alleged to be adulterated in that its purity and quality fell below that which it purported and was represented to possess, "Sterilized."

The gauze bandages, Tip Top gauze, and Chatham bandage, were alleged to be misbranded in that the statements appearing in their labeling, "Sterilized After Packaging," and the additional statement in the labeling of the 162 boxes of gauze bandages, "Designed to Perfectly Meet First Aid Requirements," were misleading since they created the impression that the articles were sterile, whereas they were not sterile but were contaminated with viable micro-organisms.

On September 24, 1942, and March 13, 1943, the Gotham Sales Co., Inc., claimant, having admitted the allegations of the labels against the Tip Top gauze, Chatham bandage, and a portion of the gauze bandages (162 dozen boxes), judgments of condemnation were entered and the products were ordered released under bond for sterilization. On March 1 and June 8, 1943, no claimant having appeared for the other products seized, judgments of condemnation were entered and it was ordered that they be destroyed.

1034. Adulteration and misbranding of adhesive absorbent gauze. U. S. v. 75 $\frac{1}{2}$ -Gross Packages of Sani+Cross Adhesive Strips, 264 Gross of Tip Top Adhesive Strips, and 4 $\frac{1}{2}$ -Gross Packages of Sani+Cross Waterproof First Aid Treated Strips. Default decrees of condemnation and destruction.
(F. D. C. Nos. 9209, 9326, 9964. Sample Nos. 18482-F, 23285-F, 44467-F.)

Examination showed that these products consisted of a small pad of gauze affixed to a strip of adhesive plaster.

Between January 19 and May 19, 1943, the United States attorneys for the Southern District of New York and the Middle District of Pennsylvania filed labels against 75 $\frac{1}{2}$ -gross packages of Sani-Cross adhesive strips and 264 gross of Tip Top adhesive strips at New York, N. Y., and against 4 $\frac{1}{2}$ -gross packages of Sani-Cross waterproof first aid, treated strips at Harrisburg, Pa., alleging that the articles, which had been consigned by the Gero Products, Inc., had been shipped on or about December 23, 1942, and January 12 and March 30, 1943, from Boston and South Boston, Mass.; and charging that they were adulterated and misbranded. The Tip Top adhesive strips were labeled in part: "Distributed by Gotham Sales, N. Y., N. Y."

The articles were alleged to be adulterated in that they purported to be a drug, adhesive absorbent gauze (adhesive absorbent compress), the name of which is recognized in the United States Pharmacopoeia, an official compendium, but their quality and purity fell below the standard set forth in that compendium since they were not sterile but were contaminated with living micro-organisms, and